

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,
Plaintiff

)
)

Vs.

) Hon. Robert J. Jonker
) Hon. Mag. Sally J. Berens

MICHIGAN STATE GOVERNMENT, ET, AL
Defendants

) Case No. 1:22 -CV- 1146

Owen W. Barnaby
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Addresses of Defendants
Berrien County Government
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Niles-Charter-Township/Board of Trustee
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City of Benton Harbor
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Benton Harbor, MI 49022
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State Bar of Michigan
306 Townsend Street
Lansing, Michigan 48933
(517) 346-6305

Hon. Dana Nessel & Hon. Bryan W. Beach
Assistant & Attorney General of Michigan
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Entering Default Judgment by Clerk of Court

Plaintiff's request of Clerk of Court Enter Default Judgment

Come now, Plaintiff, In Pro Se, with his, 'request of Clerk of Court to enter a Default Judgment against all named Defendants below for their failure to file an answer to Plaintiff's Complaint or a Motion Under Rule 12.

Plaintiff, In Pro Se, Owen W. Barnaby, is requesting a Default Judgment against all listed Defendants : 1), Defendant - Lori D. Jarvis Registrar; 2), Defendant - Lora L. Freehling Registrar; 3), Defendant - Kathleen Culberson, Notary Public; 4), Defendant – Bret Witskowski, Treasurer; 5), Defendant – Shelly Weich, Treasurer; 6), Defendant – Board of Commissioner; 7), Defendant – Attorney Mckinley R. Elliott; 8), Defendant – Attorney Donna B. Howard; 9), Defendant – Attorney James MCGovern; 10), Defendant – Berrien County Government; 11), Defendant – Bret Witskowski, in his Individual capacity; 12), Defendant – State Bar of Michigan, 13), Defendant – Attorney Jefferey R. Holmstrom and 14), Defendant – Holmdtrom Law Office; 15), Defendant - Niles Charter Township Board of Trustees; and, 16), Defendant - for Defendant - Niles Charter Township, and Defendant – City of Benton Harbor.

In pursuant to Rule 55(a), (b) (1) Plaintiff is 'requesting' the Clerk of Court to enter a Default Judgment against all named Defendants above, for sum certain total of **\$18,474,907.40** for named Defendants' failure to file an answer to Plaintiff's Complaint or a Motion Under Rule 12. Please, see attached Affidavit.

Rule 55 – Default; Default Judgment

(a) **Entering a Default.** When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.

(b) **Entering a Default Judgment.**

(1) *By the Clerk.* If the plaintiff’s claim is for a sum certain or a sum that can be made certain by computation, the clerk—on the plaintiff’s request, with an affidavit showing the amount due—must enter judgment for that amount and costs against a defendant who has been defaulted for not appearing and who is neither a minor nor an incompetent person.

Respectfully Submitted,

Dated: January 4, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

CERTIFICATE OF SERVICE

The undersigned states that on the 4th day of January 2023, a duplicate original of Plaintiff's, request of Clerk of Court to enter Default Judgment against all named Defendants filed with the Clerk of the using the ECF System, which will provide electric notice to the parties of record, and I have mailed by U.S. Postal Service the same to the non-ECP participants.

Respectfully Submitted,

Dated: January 4, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.